



PATENT
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Applicant: Ignatius Loy BRITTO Conf.: 8928
Appl. No.: 09/506,838 Group: 1616
Filed: February 18, 2000 Examiner: HAGHIGHATI
For: METERED DOSE INHALER FOR BECLOMETHASONE
DIPROPIONATE

TERMINAL DISCLAIMER

Assistant Commissioner for Patents
Washington, DC 20231

July 18, 2002

Sir:

SMITHKLINE BEECHAM CORPORATION, (hereinafter "the Assignee")

☐ residing at

☒ a corporation of Pennsylvania having a principal place of business at One Franklin Plaza, 200 N. 16th Street, Philadelphia, Pennsylvania 19102, USA, represents that it is the true owner of the entire interest of U.S. Patent Application No. 09/506,838, filed on February 18, 2000, for "METERED DOSE INHALER FOR BECLOMETHASONE DIPROPIONATE," (hereinafter "above-identified application") by virtue of and as evidenced by the following Assignments recorded at the United States Patent and Trademark Office in parent Application No. 08/945,141 (now U.S. Patent 6,149,892).

- June 7, 1995, recorded at Reel 7665, Frame 0757;
- October 14, 1997, recorded at Reel 8968, Frame 0773; and
- October 22, 1998, at Reel 9543, Frame 0291.

A Recordation of Assignment document was filed on April 30, 2002, to reflect a change of Assignee name due to a merger, and was recorded at Reel 021841, Frame 0645-0663 (19 pages).

The Assignee hereby disclaims the terminal part of any patent granted on the above-identified application which would extend beyond the expiration date of any patent which issues from co-pending Application Nos. 09/562,946; 09/506,834; 09/570,789; and 09/570,725, (hereinafter "co-pending applications") and hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to any patent which issues from the co-pending applications, this agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successors or assigns.

The Assignee does not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration date of the full statutory term as presently shortened by any terminal disclaimer of any patent which issues from the co-pending applications in the event that they later expire for failure to pay a maintenance fee, are held unenforceable, are found invalid, are statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321(a), have all claims canceled by a reexamination certificate, or are otherwise terminated prior

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to the expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

This Terminal Disclaimer is submitted on behalf of the Assignee by the undersigned, an attorney of record in the above-identified application.

Please charge any fees or credit any overpayment pursuant to 37 C.F.R. § 1.20 to Deposit Account No. 02-2448.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

Date: July 18, 2002

By


Gerald M. Murphy, Jr.

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